

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERTO CHARLES YSASSI, JR.,

Defendant.

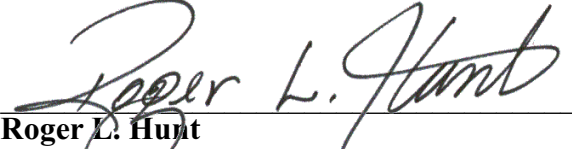
Case No. 2:05-cr-0247-RLH

ORDER

On January 20, 2011, the Ninth Circuit Court of Appeals issued an order in the above captioned case vacating and remanding the case, directing this Court to “dismiss” Appellant’s (Ysassi) motion pursuant to §2255, without prejudice. The Circuit Court’s order did not specify which of this Court’s orders it is referring to, but the Court assumes it is referring to Document #142, filed June 19, 2009, in which this Court “ORDERED that Defendant’s Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, Title 28 U.S.C. §2255 (#140) is DENIED.”

Accordingly, and pursuant to the order of the Circuit Court of Appeals, IT IS HEREBY ORDERED that Defendant’s Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, Title 28 U.S.C. §2255 (#140) is DISMISSED without prejudice.

Dated: January 24, 2011.


Roger L. Hunt
Chief United States District Judge